

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

JOY L. MATTISON

Plaintiff,

v.

ORDER
03-CV-443A

JOHN E. POTTER, Postmaster General
UNITED STATES POSTAL SERVICE,

Defendants.

This case was referred to Magistrate Judge Leslie G. Foschio, pursuant to 28 U.S.C. § 636(b)(1), on September 18, 2003. On October 7, 2005, defendants filed a motion for summary judgment. On June 7, 2007, Magistrate Judge Foschio filed a Report and Recommendation, recommending that defendants' motion for summary judgment be granted.

Plaintiff filed objections to the Report and Recommendation on August 27, 2007, and the defendants filed a response thereto.

Pursuant to 28 U.S.C. § 636(b)(1), this Court must make a de novo determination of those portions of the Report and Recommendation to which objections have been made. Upon a de novo review of the Report and Recommendation, and after reviewing the submissions of the parties, the Court adopts the proposed findings of the Report and Recommendation.

Accordingly, for the reasons set forth in Magistrate Judge Foschio's Report and Recommendation, defendants' motion for summary judgment is granted. The Clerk of Court shall take all steps necessary to close the case.

SO ORDERED.

s/ Richard J. Arcara

HONORABLE RICHARD J. ARCARA
CHIEF JUDGE
UNITED STATES DISTRICT COURT

DATED: September 20, 2007